

The Hon. Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KATHERINE DE LEON EVARISTO,

Defendant.

No. 2:21-cr-00151-RAJ

STIPULATED ORDER OF FORFEITURE

THIS MATTER comes before the Court on the Stipulated Motion for Order of Forfeiture of the parties seeking to forfeit, to the United States, Defendant Katherine De Leon Evaristo's interest in a sum of money in the amount of \$8,500, representing the proceeds Defendant personally obtained from her commission of Immigration Fraud Conspiracy, in violation of 18 U.S.C. § 371.

The Court, having reviewed the Defendant's Plea Agreement, Stipulated Motion, and the other papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate because:

- The proceeds of Defendant's Immigration Fraud Conspiracy, in violation of 18 U.S.C. § 371, are forfeitable pursuant to 18 U.S.C. § 982(a)(6);

- 1 • In her Plea Agreement, Defendant admitted that she joined this conspiracy in
- 2 exchange for payment in the amount of \$20,000, and further admitted to
- 3 various steps that she and CC-1 took in furtherance of the conspiracy as the
- 4 conspiracy progressed (Dkt. No. 20, ¶ 8);
- 5 • In her Plea Agreement, Defendant agreed to forfeit her interest in a sum of
- 6 money pursuant to 18 U.S.C. § 982(a)(6), reflecting the proceeds she
- 7 personally obtained from her commission of the conspiracy (Dkt. No. 20,
- 8 ¶ 12);
- 9 • The \$8,500 that Defendant received in payment are the proceeds that she
- 10 personally received from her commission of this offense, and therefore an
- 11 Order of Forfeiture seeking a sum of money in the amount of \$8,500 is
- 12 warranted;
- 13 • This judgment for a sum of money in the amount of \$8,500 is personal to
- 14 Defendant, and, therefore, pursuant to Federal Rule of Criminal Procedure
- 15 (“Fed. R. Crim. P.”) 32.2(c)(1), no third-party ancillary process is required
- 16 before forfeiting it; and
- 17 • On August 19, 2022, Defendant paid \$1,000 against this \$8,500 forfeited sum
- 18 through her attorney of record via cashier’s check. This \$1,000 shall be
- 19 credited against Defendant’s \$8,500 judgment for a sum of money. The United
- 20 States has represented that it will file a Notice of Partial Satisfaction of Money
- 21 Judgment following issuance of this Order.

22 NOW, THEREFORE, THE COURT ORDERS:

- 23 1. Pursuant to 18 U.S.C. § 982(a)(6), Defendant’s interest in a sum of money
- 24 in the amount of \$8,500 is fully and finally forfeited, in its entirety, to the United States;
- 25 2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)–(B), this Order will become
- 26 final as to Defendant at the time she is sentenced; it will be made part of the sentence;
- 27 and, it will be included in the judgment;

3. No right, title, or interest in the identified sum of money exists in any party other than the United States;

4. Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this sum of money, in whole or in part, the United States may move to amend this Order, at any time, to include substitute property having a value not to exceed the value of the above-identified sum; and,

5. The Court will retain jurisdiction in this case for the purpose of enforcing this Order, as necessary.

IT IS SO ORDERED.

DATED this 31st day of August, 2022.

Richard A. Jones

The Honorable Richard A. Jones
United States District Judge